

State. But, the Committee in the recommendation which you have before you says that the attorney general shall be the chief legal officer of the State and the Committee was very hopeful in providing that that the Attorney General will have strictly legal functions and would not be given the power to carry out so-called executive programs so that what he would do would be giving his legal advice and legal assistance to others who are carrying out executive programs.

THE CHAIRMAN: Delegate Gleason, do you have a further question?

DELEGATE GLEASON: Was there a vote in the Committee on this recommendation, Chairman Morgan?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: It was no formal vote. It was just a unanimous agreement.

THE CHAIRMAN: Delegate Vecera.

DELEGATE VECERA: Delegate Morgan, line 15 of your Committee Report, you state when the office of the attorney general is vacant that the governor shall with the advice and consent of the Senate make the appointment.

Now, sir, the comptroller, I understand is similar. What was the difference between filling the vacancy of the lieutenant governor and the filling of the vacancy on these two gentlemen who would also be elected officials. Where was there a difference on how to fill that particular vacancy?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Delegate Vecera, I think it is the same to fill a vacancy in the office of lieutenant governor. The governor nominates an individual and the General Assembly has to advise and consent to the nomination. In the case of the attorney general, just the Senate has to advise and consent to the nomination. I think we just felt that the lieutenant governor was a much more important office and that the whole General Assembly should advise and consent to that.

THE CHAIRMAN: Delegate Vecera.

DELEGATE VECERA: Delegate Morgan, these gentlemen are elected officials and I thought maybe there was a differentiation to fill a vacancy on an elected official. This seems to me similar to an appointive office.

THE CHAIRMAN: Delegate Vecera, this is not a time for debate. If you have a question, you may put it.

DELEGATE VECERA: Yes, sir.

My question is why specifically was there a differentiation between the attorney general and comptroller on the one hand and the lieutenant governor on the other hand. I thought they were all elected officials and that their vacancy would be filled by a similar kind of method.

THE CHAIRMAN: The lieutenant governor is the man who succeeds to the governorship in the event the office of the governor becomes vacant. The attorney general and the comptroller are not in the line of succession. To fill a vacancy in the office of the lieutenant governor, we thought it essential to have the advice and consent of the whole General Assembly.

DELEGATE BURDETTE: Mr. Chairman, I should like to ask the Chairman of the Committee for an explanation of what amounts to the first section but here unnumbered, with respect to the method of electing the attorney general. The language used here is that he shall be elected in the same manner as the governor. The manner prescribed elsewhere in action already taken by the Convention provide that the governor and the lieutenant governor shall be elected as a team. Now, I suspect that I understand what the Committee has in mind, but does the Committee intend that the attorney general should be a third member of that team?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: The answer is no.

THE CHAIRMAN: Delegate Burdette.

DELEGATE BURDETTE: I want to be sure to get that in the record. I must confess that I am uncertain here as to what the manner is. Does the Chairman think that there perhaps needs to be more detail?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Well, the executive article on section 4-4.05 says, "The Governor shall be elected by those voters qualified to vote in state elections for a term of four years until someone is qualified —" and so forth.

It is just a method of referring back to the provisions that provide for the election of governor. There is no requirement that he run on the same team.

THE CHAIRMAN: Could we state for the benefit of the Committee on Style that